

**BOROUGH OF MIDDLESEX  
REGULAR MEETING MINUTES  
MARCH 25, 2014**

**MAYOR'S STATEMENT:** Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Revised Annual Meeting Notice of December 31, 2013 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

**SALUTE TO THE FLAG**

**ROLL CALL**

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler
	Michele Tackach (absent)

Attorney: Aravind Aithal

Mayor Dobies stated that two item wills be added to the Agenda – Discussion on the Bleachers for the Softball Field and also the resignation of the Fire Sub Code Official.

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**PROCLAMATIONS-NONE**

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**APPOINTMENT-NONE**

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**PRESENTATIONS-NONE**

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**NEW BUSINESS-NONE**

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**PUBLIC HEARING**

The Deputy Clerk read Ordinance No. 1848-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

**ORDINANCE NO. 1848-14**

**An Ordinance of the Borough of Middlesex, County of Middlesex and State of New Jersey amending Chapter 129 of the Code of the Borough of Middlesex to Permit the Maintenance of Community Cats in Managed Colonies**

**Be it ordained by the Mayor and Council of the Borough of Middlesex as follows:**

**§ 129-36 Definitions.**

For the purposes of this Article V, the following terms shall have the meaning set forth in this provision. When not inconsistent with the context words used in the present tense include the future, words in the plural include the singular, words in the singular include the plural and words in the male gender include the female gender.

Animal Control Officer means any person or agency appointed as mandated by N.J.S.A. 4:19-15.16(b).

COMMUNITY CAT -- any cat living outside as a result of having been born outside or abandoned.

CARE GIVER – shall mean an individual or individuals designated by the Sponsor who shall be responsible for the normal and customary care of any community cat(s) including providing food, water and veterinary care, when indicated.

TNR – shall mean a program where a Community Cat is trapped, spayed or neutered, vaccinated against rabies, identified by tattoo or ear tip that it has been spayed/neutered and vaccinated, and returned to the place where it had been trapped.

MANAGED COLONY -- two or more community cats who have undergone TNR and are being cared for by a caregiver or caregivers who provide daily food and water and necessary and reasonable veterinary care for cats and who adopt out cats who would thrive in an adoptive home and for whom such home exists.

SPONSOR -- means Paws For Peace, Inc., a non-profit corporation.

**§ 129-37 Regulations.**

A. Managed Colonies shall be permitted in the Borough of Middlesex pursuant to the following terms and conditions:

1. The Sponsor shall provide to the Borough an annual report not later than January 31 of each calendar year, which indicates the number and location of Managed Colonies, the number of cats in each such Managed Colony, proof of TNR compliance for all cats in such Managed Colonies, and any other information reasonably requested by the Borough, shall be included with this information.

2. Sponsor shall provide photographs of all Community Cats and cats maintained in Managed Colonies that have undergone TNR pursuant to this Ordinance.

3. Cats maintained in Managed Colonies shall not be deemed to be “off the premises of its owner” for purposes of N.J.S.A. 4:19-15.16(e).

4. Complaints received regarding a cat in a Managed Colony shall be dealt with as follows:

a. The complainant shall be informed that the Borough has enacted an Ordinance permitting the maintenance of cats in Managed Colonies.

b. The Sponsor shall be advised of the complaint and shall be required to respond within 30 days and comply with any Ordinance, statute or other regulations or laws governing the act or omission giving rise to the complaint within a reasonable time as determined in the sole discretion of the Borough.

c. If the Borough is informed that an Animal Control Officer has come into possession of a cat from a managed colony, they shall immediately notify the Sponsor of such circumstance.

This ordinance shall take effect upon final passage and publication according to law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1848-14.

John Madden, 103 Rock Lane discussed the ordinance and thinks it needs some information added about a maximum on the amount of managed colonies in the borough, a minimum feeding stations to not attract wildlife and signs need to be posted that the "Colony is in a TNR Program". Mr. Madden indicated that according to the State Department of Health one concern is that colonies should not be established where at risk wildlife populations could be threatened or poise a nuisance to the public. Mr. Madden also spoke with Dr. Campbell, an expert with cats, and he mentioned that in Atlantic City there is a managed cat colony that is very successful because they do routine things with feeding stations and make sure when cats need vaccinations the retrapp process will take place. He also requested that the ordinance say something that when trapped, the ear tips will be marked.

Debbie DeVuyst, 73 Ramsey Road questioned if the cats are required to get rabies shots and how do you know that the cat has a shot. Do we have a document that said what the sponsor is going to do for the cats. What happens if a child gets bit by a cat, and there is no mechanism to quarantine, a small child may be put to risk and forced to get rabies shots. In reading the Board of Health Meeting Minutes she also indicated that the county does not want anything to do with this program.

Amy Burke, 533 Giles Avenue indicated that the purpose of TNR of establishing managed colonies is to reduce the population of homeless cats in the borough. She has never heard of a TNR program that does not vaccinate cats against rabies. TNR requires monitoring the vaccination of the cats, and spaying and neutering of the cats. They want the cat population to decline, and they do not want to create more colonies. She has never heard of someone being attacked by a community cat. Now if a cat is a nuisance, animal control might come and trap and kill the cat. The best way to control overpopulation of cats is to trap, neuter, vaccinate and watch the population go down.

Seeing that there was no further public comments, Mayor Dobies closed the hearing on Ordinance No. 1848-14.

Mayor Dobies mentioned that the County Board of Health has requests and there are additional comments about issues not included in the ordinance. The Mayor stated that if passed tonight

we will have to amend at a later date to clarify items such as if someone from the borough will be responsible to manage the colonies, the duties of this person, who will sign violations and go to court, and the responsibilities of the caregiver.

Councilwoman Jenkins made a motion for adoption seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos.: None. Abstain: None.

Mayor Dobies stated that normally he would veto this ordinance, but since the vote was unanimous it would only be a useless move.

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### **ADOPTION OF MINUTES**

Councilman Greco made a motion to approve the March 8, 2014 Budget Meeting and the March 11, 2014 Regular and Executive Meeting Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos.: None. Abstain: None.

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### **REPORTS – STANDING COMMITTEES:**

1. Finance/Taxation/Real Estate/Construction Official/Insurance –
  - A. Budget Update – Council President Kaplan stated that the 2014 Budget will be introduced on April 8. Recommendations were made to Council to go back to their department heads for additional cuts and the Finance Committee is awaiting results. The budget is still a work in progress and the goal is to reduce it to 6 points. Mayor Dobies stated that his recommendation is to not hire any people not in the budget at this time. Also, he would like to bring the budget down to 6 points which would be a \$200,000 reduction. Mayor Dobies is recommending that we should look into any trust accounts, both Recreation and Recycling, to come up with additional funds to balance the budget. Mayor Dobies stated that Council President Kaplan and the Finance Department have done an excellent job on this budget.
  - B. Sewer Committee Update – The Sewer Committee has met and worked on questions that were given from the business community. Councilman Kaplan explained how the discrepancy occurred in the amount of businesses that were billed and also the classification of each of the businesses. As of today, and after numerous hours the Committee has reclassified 250 of these businesses so far and designated the type of business. Councilman Kaplan recommended that our borough engineer review this information to make sure the classifications are correct and fitting for our business owners for a fee not to exceed \$9,000 so that we are billing fairly and they can come back with user fees and recommendations. Also, he would like the engineer to look at the infrastructure and where the money is going. Mayor Dobies recommended to add this

resolution to the meeting this evening, as the governing body has promised the business community a response within 30 days.

2. Recreation/Recreation Fields/Water & Light
  - A. Councilman Greco mentioned that at the Easter Egg Hunt the Shade Tree Commission will be giving away free seedlings to all residents.
  - B. Councilman Greco mentioned that he has been battling pneumonia and not to be disrespectful will have to leave the meeting if necessary.
3. Fire/OEM/Board of Health/Rescue Squad/Flood
  - A. Councilman Dotey moved the appointment of Eric Powlison and David Breen as members of the Middlesex Fire Department seconded by Council President Kaplan and carried by a unanimous vote of Council.
  - B. Council President Kaplan indicated that there was a hazmat call on Sunday about a leak at the gas station on the corner of Route 28 and Warrenton Road. County Hazmat was notified and Council President will handle the required reports and copy Councilman Dotey and Chief Bird.
4. Public Works/Parks/Sanitation/Recycling
  - A. Councilman Schueler mentioned that in order to replace the bleachers at the girl's softball field the permit requires architectural drawings signed by an architect. Council approved a resolution be put on the next meeting authorizing the DPW Manager to enlist the assistance of the borough engineer/architect to complete the permit process and move forward with the replacement of the bleachers. The DPW Manager will get costs for this service.
5. Police/Legal/Code Enforcement/Municipal Court – Nothing to report.
6. Administration/Department of Senior Services/Legislation/Licensing – Councilwoman Tackach was absent.

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## REPORTS

### **Mayor**

1. Mayor Dobies discussed transparency and the importance of the publication of a complete agenda of the reports, action and resolutions that is proposed to discuss or act on. He indicated that unless the activity is an emergency the governing body should refrain from any activity not published on the agenda. The Mayor also reiterated that the Mayor and Standing Committee reports and any other official action should be given to the Borough Clerk no later than Wednesday evening, in order to allow both he and the Council President to review the agenda before it is published to the website. Unless an emergency, any items coming after that time should be put off until the next meeting. All Mayor and Standing Committee reports should also be given to the Clerk. The

Discussion Agenda Workshop Items should be discussed before they come up at the next meeting for action, and the Council should limit the introduction of a resolution followed by a vote that has not been discussed at a prior meeting unless it is an emergency.

2. Grants – Mayor Dobies has received several grants and will review them with the appropriate department heads. We also have received the Safe Routes to School Program and alternate plans for roads. The Mayor would like the engineer to get estimates for this work.

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The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

**Consent Agenda 2014(h)**

**WHEREAS**, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

**WHEREAS**, the Mayor and Council of the Borough of Middlesex is not desirous of removing any resolutions from this Consent Agenda.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #90-14 – Resolution #98-14  
Resolution #101-14

Councilman Kaplan made a motion for approval seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos.: None. Abstain: None.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #90-14**

**WHEREAS**, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2014 to the date of adoption of the annual budget and no adequate provision has been made in the 2014 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$12,518,134.67 for the Current Fund Budget, \$258,000.00 for the Swimming Pool Utility Budget;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all of the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.

Appropriations	Account No	Salaries & Wages	Other Expenses
<b>Current Fund</b>			
<b>General Government</b>			
Mayor & Council	20-1101	6,000	12,000
Municipal Clerk	20-1231	70,000	3,000
Printing & Advertising	20-1202		3,000
Postage	20-1222		7,000
Finance Administration	20-1301	40,000	7,000
Elections	20-1242		5,500
Computer Services	20-1401	42,000	46,000
Revenue Administration	20-1451	32,000	5,500
Assessment of Taxes	20-1501	15,000	1,000
Legal	20-1551		50,000
Engineering	20-1652		20,000
Planning Board	21-1802		13,000
Zoning Board	21-1852	2,725	6,000
Ins. Liability	23-2102		141,356.00
Ins. Workers Comp	23-2152		38,200.00
Ins.Group	23-2202		942,447
Ins. Surety Bonds	23-2112		
Ins. Temp. Disability	23-2122		15,000
Ins. Long Term Disability	23-2132		10,000
<b>Public Safety</b>			
Police	25-2401	1,380,000	75,000
Juvenile	25-2411	950	0
Emergency Management	25-2521		7,000
Fire	25-2652		65,000
Fire Hydrants	25-2572		95,000
Prosecutor	25-2752	11,000	
Uniform Fire Prevention	25-2531	0	0
<b>Public Works</b>			
Streets & Roads	26-2901	151,000	55,000
Shade Tree	26-3001	1,100	27,000

Solid Waste	25-3051	43,000	
Garbage	25-3071	400,000	30,000
Bldg & Grounds	25-3101	0	40,000
Rental Rescue Squad	25-3082		3,000
Sewers	31-4551	26,000	11,000
Stormwater Regulations	41-7160		1,500
Maint.Communications	25-3092		
<b>Health &amp; Human Services</b>			
Board of Health	27-3301	3,400	25,000
Animal Control	27-3453		15,000
<b>Parks &amp; Recreations</b>			
Recreation	28-3701	35,000	0
Celebration of Public Events	30-4200		20,000
Parks & Playgrounds	28-3751	105,000	15,000
Sr. Citizen Bus	28-3721		1,000
Sr. Nutrition	28-3791	10,000	
Title III	28-3781	14,000	
Medical Transportation	28-3761	4,000	
Sr. Coordinator	28-3731	25,000	2,000
<b>Utility Expenses</b>			
Electricity	31-4302		75,000
Street Lighting	31-4352		78,000
Telephone	31-4402		30,000
Water	31-4452		17,000
Natural Gas	31-4462		10,000
Fuel Oil (Diesel)	31-4472		27,000
Gasoline	31-4602		13,000
<b>Other Operating</b>			
Housing & Community Devel	30-4161		
Environmental	30-4171		
Tax Map Maintenance	30-4182		
Landfill	32-4652		190,000
Construction	22-1951	60,000	2,000
Municipal Court	43-4901	55,000	4,000
Library	29-3902		200,000
Utility Authority	25-3122		450,000
Piscataway Sewer	25-3112		117,000
Beautification	30-4203		



Curbside Recycling	36-4766		50,000
Unemployment	36-4767		0
<b>Statutory Expenses</b>			
PERS	36-4722		
PFRS	36-4752		
Social Security	36-4722		130,000
DCRP Co. Match	36-4732		6,000
<b>Debt Service</b>			
Bond Principal	45-9202		
Bond Interest	45-9302		
BAN Interest	45-9302		
Ban Paydown	45-6202		
Green Acres Loan	45-9402		
Hazardous Loan & Interest	45-9412		
Infrastructure Loan	45-9413		
MCIA Loan	45-9414		
Capital Imprv Fund	44-9010		48,000
<b>State &amp; Federal Grants</b>			
Drug Alliance	41-7032		7,000
Older American	41-7092	5,000	
Body Armor	41-7042		3,354.13
DWI	41-7011		3,575.92
Municipal Court DWI	41-7022		
Clean Communities	41-7002		
<b>TOTAL CURRENT FUND</b>		<b>2,537,175</b>	<b>3,274,433.05</b>
<b>Swim Pool Utility</b>			
Operating Appropriations	01-7001	120,000	68,000
<b>TOTAL SWIM POOL</b>		<b>120,000</b>	<b>68,000</b>

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

## **Resolution #91-14**

A proposal has been received by Middlesex Borough from David A. Sliker, Certified Recycling Professional Coordinator to provide the following services and assistance for both general recycling requirements as well as compliance issues as they may pertain to non-residential generators within the boundaries of the Borough of Middlesex in an amount not to exceed \$2,300.00:

- (a) Review of all non-residential generators within the community. A notification list of the largest potential generators and ones that are typically laggards will be compiled. From the notification list all non-residential generators will be notified of both their reporting and source separation responsibilities. Up to fifty of the notified non-residential generators will receive a site visit for educational purposes and or compliance issues.
- (b) Notify and site visit all multifamily complexes that have dumpster collection and 24 or more units of both their reporting and source separation responsibilities.
- (c) Provide some assistance with public announcements, advertisements and or educational programs as they pertain to recycling.
- (d) Explain to the construction office staff the responsibilities of individuals or businesses that apply for a permit and what their requirements are for reporting construction/demolition waste.
- (e) Review current borough ordinance for compliance with the Middlesex County Solid Waste Plan.
- (f) Assist in creating the NJDEP tonnage grant application resolution and the tax id Statement.
- (g) Submit the grant application resolution, tax id statement and municipal recycling tonnage report to the NJDEP and make himself available for the NJDEP 30 day desk review.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that:

1. The Governing Body hereby approves the proposal from David A. Sliker, Certified Recycling Professional Coordinator to provide the above services within the boundaries of the Borough of Middlesex in an amount not to exceed \$2,300.00.
2. This resolution shall take effect immediately.

**NOW FURTHER BE IT RESOLVED**, that funds in the amount of \$2,300 are available in Account No. 03-4000-00-4026-90.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

## Resolution #92-14

### **TONNAGE GRANT APPLICATION RESOLUTION**

- WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
- WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
- WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and
- WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
- WHEREAS,** A resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of Middlesex Borough to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and
- WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that the Borough of Middlesex hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates David Sliker to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

## Resolution #93-14

**WHEREAS**, Parker Engine & Hose Co. No. 4 has requested to hold fund raising within the borough of Middlesex by conducting a coin toss within the borough at the intersection of Route 28 and South Lincoln Avenue; and

**WHEREAS**, Parker Engine & Hose Co. No. 4 would like to conduct this coin toss on April 19<sup>th</sup> from 9 a.m. – 6 p.m.; and

**WHEREAS**, Parker Engine & Hose Co. No. 4 has met all of the criteria required in Middlesex Borough Ordinance No. 1747-09, with the exception of the approval of the New Jersey Department of Transportation.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that:

1. The Governing Body hereby approves Parker Engine & Hose Co. No. 4 conduct a coin toss on April 19<sup>th</sup> from 9 a.m. – 6 p.m. at the intersection of Route 28 and South Lincoln Avenue, pending receipt of approval from the New Jersey Department of Transportation.
2. This resolution shall take effect immediately.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

#### **Resolution #94-14**

#### **RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS**

**WHEREAS**, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011;  
and

**WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

**WHEREAS**, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

**WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

**WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services,

personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

**WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

**WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

**WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

**WHEREAS**, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Middlesex strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

**BE IT FURTHER RESOLVED**, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Borough of Middlesex State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

#### **Resolution #95-14**

**WHEREAS**, Middlesex Borough Rescue Squad has requested to hold fund raising within the borough of Middlesex by conducting coin tosses within the borough at the intersections of Union Avenue and Greenbrook Road, Union Avenue and Shepherd Avenue, Union Avenue and Harris Avenue and Mountain Avenue and Bound Brook Road; and

**WHEREAS**, Middlesex Borough Rescue Squad would like to conduct these coin tosses on April 5 & 6, May 3 & 4, June 7 & 8, July 5 & 6, August 2 & 3, September 6 & 7 and October 4 & 5 from 9 a.m. – 6 p.m.; and

**WHEREAS**, Middlesex Borough Rescue Squad has met all of the criteria required in Middlesex Borough Ordinance No. 1747-09, with the exception of the approval of the New Jersey Department of Transportation.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex that:

1. The Governing Body hereby approves Middlesex Borough Rescue Squad to conduct coin tosses on April 5 & 6, May 3 & 4, June 7 & 8, July 5 & 6, August 2 & 3, September 6 & 7 and October 4 & 5 from 9 a.m. – 6 p.m. at the above locations, pending receipt of approval from the New Jersey Department of Transportation.
2. This resolution shall take effect immediately.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #96-14**

**WHEREAS**, on December 17, 2013, the Borough of Middlesex (the “Borough”) adopted Resolution #324-13; and

**WHEREAS**, Resolution #324-13 is hereby restated and amended to provide that the preliminary investigation described in Resolution #324-13 shall occur in four (4) phases consisting of approximately fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014; and

**WHEREAS**, Resolution #324-13 as restated and amended follows:

**WHEREAS**, on September 18, 2007, the Borough adopted Ordinance No. 1723-07, which enacted the Lincoln Boulevard Redevelopment Plan (the “Plan”), dated June 27, 2007, encompassing the westerly portion of Lincoln Boulevard from the Borough of Bound Brook border to two-hundred feet (200’) east of its intersection with Mountain Boulevard and the south portion of Mountain Boulevard from its intersection with Lincoln Boulevard to William Street; and

**WHEREAS**, the properties designated under the Plan were all designated as an area in need of rehabilitation; and

**WHEREAS**, it has been over six (6) years since the adoption of the Plan, during which time there have been significant changes in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “Redevelopment Law”) and case law interpreting same;

**WHEREAS**, during this time little development has occurred under the Plan;

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Borough to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a 'Non-Condemnation Redevelopment Area') or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a 'Condemnation Redevelopment Area'); and

**WHEREAS**, the Borough Council finds it to be in the best interest of the Borough and its residents to authorize the Borough's Planning Board to undertake such preliminary investigation of the Properties identified on Schedule A attached hereto and made a part hereof, and as shown on the Map attached hereto and made a part hereof as Schedule B, as a Non-Condemnation Redevelopment Area, in four (4) phases consisting of fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Middlesex, in the County of Middlesex, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Paul Ricci of Ricci Planning, pursuant to the notice, hearing and other requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended, in order to recommend to the Borough Council whether the area comprising the properties identified on Schedule A attached hereto and made a part hereof, and as shown on the Map attached hereto and made a part hereof as Schedule B, is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5, in four (4) phases consisting of fifty (50) parcels each as proposed by Paul Ricci of Ricci Planning in his proposal, dated February 26, 2014.

**BE IT FURTHER RESOLVED** that, pursuant to New Jersey P.L.2013, Chapter 159, the redevelopment area determination shall authorize the Borough to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, also know as a "Non-Condemnation Redevelopment Area."

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution is to be forwarded to the Planning Board of the Borough of Middlesex.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #97-14**

Rescinding Resolution #77-14 appointing Vince Buono as temporary Chief Financial Officer effective March 3, 2014.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #98-14**

Appointing the Tax Collector, Tonya Hubosky, as the Temporary CFO in the amount of \$500.00 per month for two months effective March 25, 2014.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #101-14**

**WHEREAS**, the Borough Engineers, Remington & Vernick is authorized to review and make recommendations for amendments and/or clarifications on the sewer ordinance, ratios and user classifications; and

**WHEREAS**, such scope of work is not to exceed \$9,000.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. Remington & Vernick is hereby authorized to review and make recommendations for amendments and/or clarifications on the sewer ordinance, ratios and user classifications for a fee not to exceed \$9,000.
2. This resolution shall take effect immediately.



**NOW FURTHER BE IT RESOLVED** that funds in the amount of \$9,000 are available in Account No. 04-1611-00-1611-52.

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The Deputy Clerk read the following resolution:

**BE IT RESOLVED** by the Mayor and Council of the Borough of Middlesex that:

**Resolution #99-14**

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Including the following Confirming Orders:

PO 55305	Gramco Word Processing, Inc	\$ 104.50
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Council President Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos: None. Abstain: None.

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**DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE**

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**PUBLIC COMMENTS**

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Mayor Dobies opened the Public Portion of the meeting for any comments.

Amy Bigge, 5 Marshall Place thanked the Mayor and Council for all their work on Ordinance No. 1848-14. She understands that changes may need to be made and would like to see things go smoothly with the program. She also thanked the residents in town that spearheaded this ordinance, the caregivers that take care of the cats and the organization that assisted in this process.

John Ellery, 701 Lincoln Boulevard indicated that there are approximately 575 – 600 businesses in the borough with regard to the billing of the sewer user fee. Mr. Ellery also mentioned that the Committee is available to meet and work to resolve this situation and recommended that the borough committee look into the ratios and also look into not only the businesses, but also the residents. Mr. Ellery also requested that the Borough remind the Departments Heads about the “Buy Local” resolution that they adopted at their January 1, 2014 Reorganization Meeting.

Debra DeVuyst, 73 Ramsey Road discussed that in the February 26, 2013 meeting minutes the borough was aware of the broken pipes in the Piscataway meter area and she is waiting to hear

what they are proposing to do. Also, she mentioned that if an e-mail is sent it is considered a meeting.

John Erickson, 209 Second Street discussed committee/commission appointments made by the Mayor.

Mayor Dobies addressed all questions from the Public.

Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

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The Deputy Clerk read the following resolution:

BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex that:

**Resolution #100-14**

**WHEREAS**, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

**WHEREAS**, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

**WHEREAS**, the regular meeting of this Governing Body will reconvene.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Host Community Agreement – Importico and Republic Service
2. Certified Public Works Manager

Council President Kaplan made a motion for approval seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, Kaplan, and Schueler. Nos: None. Abstain: None.

Council President Kaplan moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by a unanimous vote of Council.

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**ADJOURNMENT**

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Council President Kaplan made a motion to adjourn the Regular Meeting seconded by Councilman Greco and carried by a unanimous vote of members present.

Respectfully yours,

Linda Chismar, RMC  
Deputy Clerk